

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

TONEY HOSLEY,

Petitioner,

-vs-

Case No. 8:20-cv-194-WFJ-JSS

SECRETARY, DEPARTMENT
OF CORRECTIONS,

Respondent.

_____/

ORDER

Before the Court is Mr. Hosley's Motion to Request Leave to File an Interlocutory Appeal (Doc. 41). It appears from the motion that Mr. Hosley seeks an order from the Eleventh Circuit Court of Appeals rather than this Court. Nonetheless, to the extent Petitioner intended to file a motion for certification of interlocutory appeal of this Court's orders denying his motion for summary judgment and motions for reconsideration of the order denying summary judgment (see Docs. 34, 36, 40),¹ the motion is **DENIED** because none of the orders "involves a controlling question of law

¹ 28 U.S.C. § 1292(b) provides, in relevant part, the following with respect to interlocutory decisions:

When a district judge, in making in a civil action an order not otherwise appealable under this section, shall be of the opinion that such order involves a controlling question of law as to which there is substantial ground for difference of opinion and that an immediate appeal from the order may materially advance the ultimate termination of the litigation, he shall so state

as to which there is substantial ground for difference of opinion[.]”

ORDERED in Tampa, Florida, on June 2, 2021.



WILLIAM F. JUNG
UNITED STATES DISTRICT JUDGE

SA: sfc

Copies to: Toney Hosley, *pro se*
Counsel of Record

in writing in such order.